

BUSINESS RECORDS AFFIDAVIT

THE STATE OF TEXAS §
§
COUNTY OF Hidalgo §

BUSINESS RECORDS AFFIDAVIT

BEFORE ME, the undersigned authority, personally appeared Elizabeth Walker who, being by me duly sworn, deposed as follows:

1. My name is Elizabeth Walker. I am of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated.
2. I am the custodian of the records of the documents pertaining to: City of Weslaco, Texas
3. Attached hereto, are 1 USB of electronic records and two boxes of cassette tapes pages of copies of the records; to wit:
4. The said copies of the records are kept by: City of Weslaco
The number of pages are kept by City of Weslaco in the regular course of business.
5. It is the regular practice of said business for an employee or representative with knowledge of the act, event, incident, order, transaction, invoice, condition, photo, video recording, audio recording, opinion or diagnosis to make the record, or to transmit information thereof to be included in such records.
6. The said records were made at or near the time of occurrence of the matters set forth by, or from information transmitted by, a person with knowledge of those matters.
7. The said records attached hereto are the originals and/or exact duplicates of the originals.

THE STATE OF TEXAS §
§
COUNTY OF Hidalgo §



[Signature]
Affiant's Signature

SUBSCRIBED AND SWORN TO OR AFFIRMED before me on the 15th day of October, 2018
by Affiant Elizabeth Walker

Juanita M. Vallejo
Notary Public
My Commission Expires: 4/03/2021

GOVERNMENT
EXHIBIT
012

United States District Court

SOUTHERN

DISTRICT OF

TEXAS

TO:

McALLEN DIVISION

City of Weslaco
City Secretary, Elizabeth Walker
255 S. Kansas Ave.
Weslaco, Texas 78596

SUBPOENA TO TESTIFY BEFORE GRAND JURY

SUBPOENA FOR:

☐ PERSON ☒ DOCUMENTS OR OBJECT(S)

+

YOU ARE HEREBY COMMANDED to appear and testify before the Grand Jury of the United States District Court at the place, date, and time specified below.

PLACE UNITED STATES DISTRICT COURT BENTSEN TOWER 1701 W. HIGHWAY 83 McALLEN TX 78501	ROOM GRAND JURY ROOM 2nd Floor <hr/> DATE AND TIME October 23, 2018 @ 9:00 am
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YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):*

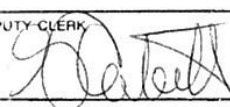
Please see subpoena attachment. Please complete the attached Business Records Affidavit.

Compliance with this subpoena may occur by mailing the requested records prior to the appearance date indicated on the face of the subpoena to Special Agent, Jason Malkiewicz, Federal Bureau of Investigation, 1200 N. McColl, McAllen, Texas 78501. Electronic production of the requested records is preferred and can be delivered to jmalkiewicz@fbi.gov. If mailing hardcopies or compact discs, please send information through Federal Express (overnight) to SA Jason Malkiewicz, Federal Bureau of Investigation, 1200 North McColl Rd., McAllen, TX 78501. SA Malkiewicz can be reached directly @ (956) 984-6461. Please do not send materials to the United States Attorney's Office. Should you have any additional questions, please contact Special Agent Jason Malkiewicz at (956) 984-6461.

You are not to disclose the existence of this directive. Any such disclosure would impede the investigation being conducted and thereby interfere with the enforcement of the law.

☐ Please see additional information on reverse

This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

CLERK DAVID J. BRADLEY, Clerk	DATE 10/04/18
(BY) DEPUTY CLERK 	
This subpoena is issued upon application of the United States of America RYAN K. PATRICK UNITED STATES ATTORNEY	NAME, ADDRESS AND PHONE NUMBER OF ASSISTANT U.S. ATTORNEY Roberto Lopez, Jr., Assistant United States Attorney 1701 W. Business Highway 83, Suite #600 McAllen, TX 78501 956-618-8010 18-416/16R15273

*If not applicable, enter "none."

To be used in lieu of AO110

FORM OBD-227
JAN 86



**18-416/2016R15273
ATTACHMENT TO SUBPOENA**

To: City Secretary, Elizabeth Walker
255 S. Kansas Ave.
Weslaco, Texas 78596

Document Request

Any and all Weslaco City Commission (hereinafter referred to as "Commission") Agendas; Notices of Potential Quorum; Commission Agenda Supplements; Any and all Minutes for any Commission meetings; Video Recordings of any Commission meeting; and/or Audio Recordings of any Commission meeting for the time period of **January 1, 2005 to December 1, 2008**.

Any Conflict Disclosure Statement filed by any current or former City of Weslaco Commissioner, City of Weslaco Mayor, City of Weslaco Employee, or Vendor to the City of Weslaco from **January 1, 2005 to December 1, 2008**.

General Definitions

"Conflict Disclosure Statement" shall mean any statement, whether handwritten, printed, recorded, filmed or produced by any other mechanical, digital, or electronic process that was filed with the City of Weslaco that discloses any City of Weslaco Commissioner, Mayor, City Official, Vendor, or Employee's existing, former, or potential conflict of interest with any person or entity or otherwise affects the Commissioner, Mayor, or Employee's ability to exercise any action in relation to a person, entity, and/or agenda item. "Conflict Disclosure Statement" shall include any statements filed in accordance with Texas Local Government Code Chapter 176.

INSTRUCTIONS FOR PRODUCTION OF RECORDS

I. General

- A. Records existing as **Electronically Stored Information (ESI)** shall be produced in electronic form and shall include text data and image data held:
 - 1. In your record retention systems; and/or
 - 2. By your technology, data, or other service provider(s).
- B. Records that do not exist as ESI may be produced in paper or other original format and may be converted to image or text data and provided as ESI, unless originals are required.

II. Image Data

- A. Image data shall be produced in graphic data files in a commonly readable, non-proprietary format with the highest image quality maintained.

III. Encryption/Authentication

- A. ESI may be transmitted in an encrypted container. Decryption keys and/or passwords shall be produced separately at the time the data are produced.
- B. Affidavits or certificates of authenticity may be included as part of the electronic production.

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Electronic production of the requested records is preferred and can be delivered to jmalkiewicz@fbi.gov. If mailing hardcopies or compact discs, please send information through Federal Express (overnight) to SA Jason Malkiewicz, Federal Bureau of Investigation, 1200 North McColl Rd., Mcallen, TX 78501. SA Malkiewicz can be reached directly @ (956) 984-6461. Please do not send materials to the United States Attorney's Office.

Should you have any additional questions, please contact Special Agent Jason Malkiewicz at (956) 984-6461.